

Due to the fact that plaintiff is no longer represented by counsel, the undersigned will take this opportunity to advise plaintiff again that plaintiff has been directed by Order of this Court to respond to defendant's interrogatories and to produce all responsive documents to defendant's request for production of documents.

As stated previously, failure to comply with the Court's Order could result in this Court recommending to the District Court that the District Court dismiss this action for failure to prosecute and could also result in attorney fees and other expenses being taxed to the plaintiff, if defendant files a motion for such relief under Rule 37. If the plaintiff does not desire to prosecute this matter, then plaintiff should contact counsel for defendant and determine whether or not a stipulation of dismissal can be entered without any taxing of attorney fees or expenses.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that the Notice of Plaintiff's Failure to Comply with Order Compelling Discovery (#15) and any relief requested therein is hereby **DENIED** without prejudice. It is further **ORDERED** that a copy of this Order be mailed to the pro se plaintiff by United States mail.

Signed: August 31, 2012



Dennis L. Howell  
United States Magistrate Judge

